

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Atty. Dkt.: 3830-13
Date: January 6, 2004

Sir:

Attached for filing is the patent application of:

Inventor: ALLEN et al.

Entitled: SHUTTLE CAR WITH FIXED HEIGHT DISCHARGE BOOM (AS AMENDED)

and including attachments as noted below:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract
☐ Please delete the following inventors in the continuation/division/continuation-in-part application:
Deleted persons:

20 pages of specification and claims (including 22 numbered claims), and
16 sheets of accompanying drawing/s.

☐ Record the attached assignment to _____ and return to the undersigned.

☐ Attached is a Power of Attorney.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following applications:

Application Number	Country	Day/Month/Year Filed
60/230,933	United States	13 September 2000
60/238,016	United States	6 October 2000
PCT/US01/28369	PCT	13 September 2001

_____, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☒ Certified copy(ies) filed on _____ in prior appln. no. 10/380,061 filed April 2, 2003

☐ This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.

☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 10/380,061, filed April 2, 2003, pending; which application is the national phase of PCT/US01/28369, filed September 13, 2001; which application claims the benefit of U.S. Provisional Patent Application Serial No. 60/230,933, filed September 13, 2000, and U.S. Provisional Patent Application Serial No. 60/238,016, filed October 6, 2000, the entire contents of which are hereby incorporated by reference in this application.

☐ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to Phillips Machine Service, Inc., Beckley, West Virginia.

☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached preliminary amendment prior to calculation of filing fee:

☒ Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting inventor(s) named in prior application; ☐ Other:

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee		\$	770.00
Total effective claims	7 - 20 (at least 20) = 0	x \$ 18.00	\$ 0.00
Independent claims	2 - 3 (at least 3) = 0	x \$ 86.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)			\$ 0.00
		SUBTOTAL	\$ 770.00
If "small entity," then enter half (1/2) of subtotal and subtract		-\$ (0.00)
		SECOND SUBTOTAL	\$ 770.00
Assignment Recording Fee (\$40.00)		\$	0.00
		TOTAL FEE ENCLOSED	\$ 770.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty: Alan M. Kagen, Reg. No. 36,178

Signature:

Alan M. Kagen

22154 U.S. PTO
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